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IN THE UNITED STATES DISTRICT COURT
DISTRICT OF UTAH

CRIMINAL PRODUCTIONS, INC., Plaintiff, vs. DOES 1- 32, Defendants.	Civil Action No. 2:17-cv-00550-DBP Magistrate Judge Dustin B. Pead RESPONSE TO COUNTERCLAIM OF DEFENDANT DARREN BRINKLEY
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Plaintiff and counterclaim defendant Criminal Productions, Inc. (“CPI”) responds to the specific numbered paragraphs of Defendant’s and counterclaim plaintiff Darren Brinkley’s Counterclaim as follows:

1. CPI denies.
2. CPI denies.
3. CPI admits.
4. CPI denies.
5. CPI denies.

AFFIRMATIVE DEFENSES

The Counterclaim and its causes of action fail to state a claim upon which relief can be granted and should be dismissed. FRCP 12(b)(6).

Counterclaimant should be denied costs and attorney fees. CPI released Defendant Brinkley of any obligation to respond to CPI's complaint on December 22, 2017. Counterclaim and/or counsel has unnecessarily and unreasonably multiplied proceedings and/or needlessly increased the cost of litigation. FRCP 11; 28 USC 1927. CPI should not be responsible for unnecessary and/or unreasonable attorney fees caused by the unnecessary, unilateral action of the Counterclaimant and/or counsel for Counterclaimant when the Counterclaimant was released from the requirements of formally proceeding in this matter.

DATED this 9th day of February, 2018.

DUREN IP

By: /s/Todd E. Zenger
Todd E. Zenger

Attorneys for Plaintiff
CRIMINAL PRODUCTIONS, INC.